

Request for Food Debate in the Session.

Sri L. SIDDAPPA (Shimoga District—General).—Sir, before we proceed further, I understand that on account of pressure of time during the previous session of the House no date was fixed for a debate on the food situation. I want to know if it is possible to fix a date for the food debate during the course of this session.

The Hon'ble Sri K. T. BHASHYAM (Minister for Law and Labour).—I shall be able to answer my friend during the course of the day after consulting the Hon'ble Chief Minister.

Sri A. BHEEMAPPA NAIK (Chitaldrug District—General).—Has there been any move for it, or is it going to be arranged *suo moto*?

The Hon'ble Sri K. T. BHASHYAM.—Sri L. Siddappa is just making a move. We shall comply with it as far as we can.

Draft Rules of Procedure in the Legislative Assembly

Mr SPEAKER (The Hon'ble Sri V. Venkatappa).—The Hon'ble Sri K. T. Bhashyam will now move for the consideration of the Draft Rules of Procedure as reported by the Special Committee.

The Hon'ble Sri K. T. BHASHYAM (Minister for Law and Labour).—Sir, I beg to move—

“That the Draft Rules of Procedure, as reported by the Special Committee on Rules of Procedure, be taken into consideration.”

Sir, under article 208 of the Constitution, we have to frame rules for the conduct of business of this Assembly, and until we do so, the rules already existing in respect of the Legislature of the State apply. We are now proceeding on the basis of the rules which were already in existence. Sir, you were pleased to appoint a Special Committee consisting of yourself, Sri D. H. Chandrasekharaiya, Sri M. Govinda Reddy, Jacob Mahomed Imam, Sri A. G. Ramachandra Rao, myself, and Sri Kadidal Manjappa to frame the

draft rules for adoption of this House. We sat at several meetings and we have placed before this House the report of this special committee on the Rules of Procedure. Some main points on which we have made a difference between the existing rules and the rules which we propose, may be mentioned. One is that Hon'ble Members till now had the right to send in only 8 questions. We have now said that they can send in 10 questions. That is because we have removed the distinction between starred and unstarred questions. The difference between these two sets of questions is that in respect of starred questions supplementary questions may be put, while in respect of unstarred questions only answers are supplied and no supplementaries are put. We desire that every question should be capable of being followed up by supplementary questions and therefore we have removed this distinction in order to enable members to table a larger number of questions. With a view to provide for the answering of those questions and the taking up of those questions in this House, we have suggested that 10 questions may be put by the Hon'ble Members because ordinarily the House will sit for about 15 to 20 days and at the rate of 10 questions we may get about 500 or 600 questions altogether and that will come to about 30 questions per day. Our experience shows that even this is large enough and we will not be able to dispose of as many as 30 questions. That is why we have limited it to 10. Therefore we have said that 10 questions may be put and we have made an arrangement different from the practice that till now exist, namely, that questions as they come are to be answered and such of the questions as are not answered lapse and the answers are either printed in the book or communicated to the members. We have made a procedure here that as far as possible all the questions shall be answered and made available to the Hon'ble Members in suitable blocks so that all the answers may be disposed of within the session itself. Supposing 500 questions are sent. We want that all the 500 should be answered and if we

(THE HON'BLE SRI K. T. BHASHYAM) sit for 20 days at least 25 to 30 questions are to be ready for being discussed or for supplementary questions being put in the House, so that every question will be answered on the floor of the House.

Another innovation which we have made and which I consider is a very valuable one, and for which I am incidentally thankful to you, Mr. Speaker, who presided over the meeting, is that in every week on two days, we have said on Wednesdays and Fridays, half an hour or one hour as you like will be set apart at the end of the day's business to discuss matters arising out of questions and answers on the floor of the House. I may just give an instance. Supposing as yesterday we had an interpellation regarding the medium of instruction. Some questions will be put and answered and the Hon'ble Members might feel that they may have to say something about the policy of the Government or they may like to make certain suggestions in that matter. They would not have an opportunity to do so at the interpellation time. If we have to wait for them till the next session so many things will come in the way and the importance of the suggestions will be taken away. So we have provided that the matter may be raised in the form of a motion for discussion. The Hon'ble Member who makes the motion will put forward his views briefly and the Minister in charge will answer on behalf of the Government so that scope may be given for Hon'ble Members to give ideas to the Government or raise discussion and make it possible for us to concentrate on certain ideas regarding the policies and programmes of Government in the matter. That is a very valuable right which Hon'ble Members will get under the rules as now framed by us. That is so far as interpellations are concerned.

Then about legislation, we have made another departure, *viz.*, till now it was possible for a member who introduced a Bill to say that it be referred to a Select Committee. Here there was a risk involved *viz.*, if at that moment he made a motion for reference to Select

Committee and if that motion failed, the whole Bill would go because there is no motion before the House to take the Bill into consideration. What we have suggested is that after the introduction of a Bill the stage is that the Bill be taken into consideration. On the passing of that motion and the Bill being taken into consideration, it is open to the House to say "we shall consider it ourselves" or "we will refer it to a Select Committee." Reference to a Select Committee may be made together with the suggestions which Hon'ble Members may make or it may be made even without any suggestions. Even if the Select Committee motion fails the entire Bill can be taken into consideration and no loss will accrue to the House or to the member who makes a motion. That departure is important in these draft rules and that is a very wholesome departure.

There is another matter which I wish to bring to the notice of the House in connection with these draft rules. Till now, the existing practice was that we used to have three or four days for general discussion on the Budget and about four or five days for voting on demands when cut motions were discussed. Altogether we used to spend about eight to nine days on the entire Budget. But under these rules, we have stated that the Hon'ble Speaker might allot as many days as he pleases for general discussion on the Budget which generally, according to the convention, may be four or five days. Over and above that we have suggested that ten clear days at least should be provided for voting on demands so that it comes to this, that cut motions could be discussed for a period of ten days instead of a period of four or five days which we were till now having. That will enable almost every cut motion being discussed and if we adjust ourselves in that matter no cut motion need remain undiscussed. We will find that the Budget discussion will range over a period of a fortnight—four or five days general discussion on the Budget and about ten days for voting of demands. That is an innovation which I consider very valuable indeed.

These are the high lights of the draft rules which we have now framed and I move that these draft rules be taken into consideration.

Mr. SPEAKER.—Motion moved.—

"That the Draft Rules of Procedure as reported by the Special Committee on Rules of Procedure be taken into consideration."

ಶ್ರೀ ಎಂ. ಸಿದ್ದಪ್ಪನವರು (ಶಿವಮೊಗ್ಗ ಜಿಲ್ಲೆ).— ಸ್ವಾಮೀ, ಈಗ ಸಭೆಯ ಮುಂದೆ ಮಾನ್ಯ ನ್ಯಾಯಾಂಗ ಸಚಿವರು ಮಂಡಿಸಿರತಕ್ಕ ಈ ಸಭೆಯವರು ರಚಿಸಿದ್ದ ಸಭಾ ಕಮಿಷನರಿವರು ಕೊಟ್ಟಿರತಕ್ಕ Draft Rules ಗಳು ವಾಸ್ತವವಾಗಿಯೂ ಮಾನ್ಯ ಸಚಿವರು ಹೇಳಿದಂತೆ ಬಹಳ ಅಮೂಲ್ಯವಾದುವಾಗಿವೆ ಮತ್ತು ಈ ಸಭೆಗೆ ಹೆಚ್ಚಿನ ಅನುಕೂಲತೆ ಮತ್ತು ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸಿ ಕೊಡುವುದಾಗಿದೆ. ಅವರು ಹೇಳಿದ ಹಾಗೆ ಇದು ವರೆಗೂ ಯಾವುದೊಂದು ವ್ಯಾಜವಾದ ವಿಷಯವನ್ನು ಚರ್ಚೆ ಮಾಡಬೇಕಾದರೂ ಸರ್ಕಾರದ ರೀತಿ ನೀತಿ ಗಳನ್ನು ವಿಮರ್ಶಿಸಬೇಕಾದರೂ ಅದಕ್ಕೆ ಮೋಟಾ ಸೂಚನೆಗಳ ಮೂಲಕವೇ ಅವಕಾಶವಿರುವುದಾಗಿದೆ. ಅಂಥಾದಕ್ಕೆ ಇದ್ದ ಅವಕಾಶ ಹಿಂದಿನ Rules ಗಳಲ್ಲಿ ಬಹಳ ಕಡಿಮೆಯಿತ್ತು. ಈ ವಿಚಾರವನ್ನು ಹಿಂದೆಯೇ ಈ ಸಭೆಯ ಮುಂದೆ ಹೇಳಿದ್ದೆವು. ಆ ಸಂದರ್ಭದಲ್ಲಿ ತಾವೇ ಹೇಳಿದ್ದೀರಿ. ಈ ಬಗ್ಗೆ ಒಂದು ರೂಲ್ಸ್ ಕಮಿಷಿ ಮಾಡುತ್ತೇವೆ, ಆಗ ಇದಕ್ಕೆ ಅವಕಾಶ ಮಾಡಿ ಕೊಡುತ್ತೇವೆ ಎಂದ. ಅದಕ್ಕನುಸಾರವಾಗಿ ಹಿಂದಿನ ರೂಲ್ಸ್ ಗಳಲ್ಲಿ Not more than four days ಎಂದಿದ್ದನ್ನು Not less than ten days ಎಂದು ಹೇಳಿ 4 ದಿನಕ್ಕಿಂತ ಹೆಚ್ಚಿಗೆ ಅವಕಾಶವಿಲ್ಲದ್ದು ದನ್ನು 10 ದಿನಗಳಿಗಿಂತ ಕಮ್ಮಿ ಇರಕೂಡದೆಂದು ಮಾಡಿದ್ದಾರೆ. ಈ ರೀತಿ ಸಭಾ ಸದಸ್ಯರುಗಳಿಗೆ ಒಂದು ಹೆಚ್ಚಿನ ಅವಕಾಶ ಕಲ್ಪಿಸಿಕೊಟ್ಟಿರುವುದಕ್ಕೆ ತಮಗೂ ಮತ್ತು ತಮ್ಮ ನೇತೃತ್ವದಲ್ಲಿ ಕೆಲಸ ಮಾಡಿದ ವರಿಗೂ ವಂದನೆಗಳನ್ನು ಅರ್ಪಿಸುತ್ತೇನೆ.

ಹಾಗೆಯೇ ಪ್ರಶ್ನೆಗಳ ಸಂಬಂಧದಲ್ಲಿ ಯಾವುದಾದರೂ ಒಂದು ವಿಷಯವನ್ನು ಸಭೆಯ ಗಮನಕ್ಕೆ ಅಥವಾ ಸರ್ಕಾರದವರ ಗಮನಕ್ಕೆ ತರಬೇಕಾಗಿದ್ದರೆ ಅಥವಾ ಸರ್ಕಾರದವರ ಕಾರ್ಯನೀತಿಯನ್ನು ತಿಳಿದುಕೊಳ್ಳುವುದಕ್ಕೆ ಮತ್ತು ಹಾಗೆ ತಿಳಿದುಕೊಂಡು ಪ್ರತಿರತವಾಗಿ ಅದರ ಬಗ್ಗೆ ಸರ್ಕಾರದವರ ಗಮನವನ್ನು ಸೆಳೆಯುವುದಕ್ಕೆ ಇದುವರೆಗೂ ಅವಕಾಶವಿಲ್ಲದಂಥಾದ್ದನ್ನು ಈಗ ಉಂಟು ಮಾಡಿಕೊಟ್ಟಿರುವುದು ಬಹಳ ಶ್ಲಾಘನೀಯ.

ಆ ಮೇರೆ ತಪಶೀಲುಗಳ ವಿಚಾರದಲ್ಲಿ ಅಲ್ಲಲ್ಲಿ ಕೆಲವು ಅಲ್ಪ ಸ್ವಲ್ಪ ಬದಲಾವಣೆಗಳನ್ನು ನಾನು ತಿದ್ದುಪಡಿ ಗಳ ಮೂಲಕ ಸೂಚಿಸಿದ್ದೇನೆ. ಅವುಗಳನ್ನು ಪರಿಶೀಲನೆಗೆ ತೆಗೆದುಕೊಂಡಾಗ ನನ್ನ ಅಭಿಪ್ರಾಯ ಸೂಚಿಸುತ್ತೇನೆ.

Mr. SPEAKER.—The question is :

"That the Draft Rules of Procedure, as reported by the Special Committee on Rules of Procedure, be taken into consideration."

The motion was adopted.

Mr. SPEAKER.—The draft Rules of Procedure will now be submitted to the Assembly, rule by rule.

Rule 2. There is an amendment by Sri L. Siddappa.

Sri L. SIDDAPPA.—My amendment is like this :

"That the words 'His Highness the Maharaja' shall be substituted for the word 'he' occurring in line 3 of the definition of 'Finance Minister'."

‘ಫೈನಾನ್ಸ್ ಮಿನಿಸ್ಟರ್’ ಎನ್ನುವುದಕ್ಕೆ ಕೊಟ್ಟಿರುವ ಅರ್ಥ ವಿವರಣೆಯಲ್ಲಿ ಹೀಗೆ ಹೇಳಿದೆ :

"'Finance Minister' means the Minister appointed by His Highness the Maharaja to be in charge of the Finance Department or any other Minister to whom he may delegate there functions for purposes of these rules ;"

ಆದ್ದರಿಂದ ಇಲ್ಲಿ 'He' ಅಂದರೆ ಫೈನಾನ್ಸ್ ಮಿನಿಸ್ಟರ್‌ರವರೇ ಇನ್ನೊಬ್ಬರಿಗೆ ತಮ್ಮ ಅಧಿಕಾರವನ್ನು delegate ಮಾಡುತ್ತಾರೆಂದು ಅರ್ಥಬರುತ್ತದೆ. ಇಲ್ಲಿ 'He' ಅನ್ನುವುದಕ್ಕೆ ಬದಲು His Highness the Maharaja ಎಂದು ಹಾಕಬೇಕೆಂದು ನನ್ನ ತಿದ್ದುಪಡಿಯಿದೆ. ಇಂಥ ಮುಖ್ಯ ಫೋರ್‌ಫೋಲಿಯೋ ವಿಷಯದಲ್ಲಿ ಮಹಾರಾಜರವರಿಗೆ ಈ ಅಧಿಕಾರ ವಹಿಸಿರಬೇಕೆಂದು ನನ್ನ ಅಭಿಪ್ರಾಯ.

Mr. SPEAKER.—Amendment moved :

"That the words 'His Highness the Maharaja' shall be substituted for the word 'he' occurring in line 3 of the definition of 'Finance Minister'."

The Hon'ble Sri K. T. BHASHYAM.—

I am afraid I cannot accept that amendment. The object of this definition is that where the Finance Minister cannot himself be present he may ask any of his colleagues to carry on with the business for him. That is why we say that the Finance Minister may delegate. The Hon'ble Member will see the definition of the word "Minister" down below :

"Minister" means a member of the Council of Ministers and includes any member to whom such Minister may delegate any functions assigned to him under these rules ;"

It provides for a similar circumstance. If the amendment is accepted the difficulty will be this. Suppose the Finance Minister is absent for about half an hour. He asks some other Minister to carry on for him. We will have to wait for the orders of His Highness. It will be difficult in practice. Therefore we say "Finance Minister means the Minister in charge of Finance or somebody to whom he delegates that power for the time being." It is to facilitate business that we have framed this definition and I

(THE HON'BLE SRI K. T. BHASHYAM.) hope that the Hon'ble Member is satisfied and will withdraw his amendment.

Sri HUTCHE GOWDA.—Instead of saying 'somebody to whom he delegates' why not say "any other Minister"?

ಮಾನ್ಯ ಶ್ರೀ ಕೆ. ಟಿ. ಭಾಷ್ಯಂರವರು.—"Any other Minister" ಅಂತರೇ ಇಲ್ಲರಾವುದು.

Sri L. SIDDAPPA.—My object in moving this amendment is that we have got to make a distinction, because finance is a very important matter which comes up for consideration before this House. In fact, in the Centre the Parliament and in the States, the Legislature of the States are the supreme bodies so far as finance is concerned. So, when financial matters come up before this House, it is very necessary for the Finance Minister, who has got to bear the brunt of the burden regarding the financial matters. If for any reason he has got to be absent, His Highness the Maharaja may appoint another Minister to undertake the entire responsibility. It is for that purpose that I have moved this amendment. I think the Hon'ble Minister will be pleased to accept this amendment.

The Hon'ble Sri K. T. BHASHYAM.—May I invite the attention of the Hon'ble Member that under the rules framed by the Parliament of India, "Finance Minister" includes any Minister? "Finance Minister" here means the Finance Minister or any other Minister to whom he may delegate these functions. If the Hon'ble Member wants to press the amendment, I can only say that I cannot accept it.

Sri L. SIDDAPPA.—I withdraw my amendment.

The amendment was, by leave of the House, withdrawn.

Mr. SPEAKER.—The question is:

"That Rule 2 stand part of the Rules of Procedure."

The motion was adopted.

Rule 2 was added to the Rules of Procedure.

Mr. SPEAKER.—Rule 3. The question is:

"That Rule 3 stand part of the Rules of Procedure."

The motion was adopted.

Rule 3 was added to the Rules of Procedure.

Mr. SPEAKER.—Rule 4.

Sri L. SIDDAPPA.—I beg to move:

"That Sub-rule (8) shall be deleted."

The sub-rule reads as follows:

"If a vacancy in the office of the Speaker occurs during the life of the Assembly, a fresh election shall be held in accordance with the procedure hereinbefore mentioned."

That is unnecessary because from a perusal of article 178 you will be pleased to see that there is a provision already made for it there.

"178. Every Legislative Assembly of a State shall, as soon as may be, choose two members of the Assembly to be respectively Speaker and Deputy Speaker thereof and, so often as the office of Speaker or Deputy Speaker becomes vacant, the Assembly shall choose another member to be Speaker or Deputy Speaker, as the case may be."

ಅಲ್ಲೇ ಅವಕಾಶ ಮಾಡಿರುವುದರಿಂದ ಇದು ಅನವಶ್ಯಕ, ಬೇಡ ಎಂಬುದನ್ನು ಸೂಚಿಸಲು ನಾನು ಈ ತಿದ್ದುಪಡಿಯನ್ನು ತಂದಿದ್ದೇನೆ.

Mr. SPEAKER.—Amendment moved:

"That sub-rule (8) shall be deleted"

The Hon'ble Sri K. T. BHASHYAM.—

I am sorry I cannot accept this amendment either. No doubt Article 178 says that as soon as the Speaker's or the Deputy Speaker's place falls vacant, another member may be chosen to occupy that place. But, how he has to be chosen is not mentioned there.

"(8)..... a fresh election shall be held in accordance with the procedure hereinbefore mentioned."

It is that part of the sub-rule that is important. We cannot omit it. Supposing we omit it by accepting the amendment of Sri L. Siddappa. How are we going to fill up that vacancy? We must say how that vacancy will be filled up. I hope my Hon'ble friend sees the necessity to retain it.

Sri L. SIDDAPPA.—While we were considering the previous amendment, the Hon'ble Minister referred to Rules

in the Parliament. I may refer to the Rules in the Parliament and say that there is no such rule there because they find it unnecessary. Since we have already made provision for the election of Speaker and in the event of any vacancy, certainly the provision already made in the Rules will be made applicable.

The Hon'ble Sri K. T. BHASHYAM.—Sir, we choose the best from all the Parliaments in the world and we consider that what was chosen in the previous clause was the best. Besides, the procedure has been prescribed here for the election of the Speaker. What happens if the vacancy occurs is nowhere mentioned. It is better to have it rather than remove it. I oppose the amendment.

Sri L. SIDDAPPA.—I do not press it mainly for the reason that there is no chance of its being passed.

The amendment was, by leave of the House, withdrawn.

Mr. SPEAKER.—The question is :

“That Rule 4 stand part of the Rules of Procedure.”

The motion was adopted.

Rule 4 was added to the Rules of Procedure.

Mr. SPEAKER.—Rule 5. The question is :

“That Rule 5 stand part of the Rules of Procedure.”

The motion was adopted.

Rule 5 was added to the Rules of Procedure.

Mr. SPEAKER.—Rule 6.

Sri L. SIDDAPPA.—I have got a small amendment. I beg to move :

“That the words ‘the first’ shall be substituted for the words ‘every’ occurring between the words ‘of’ and ‘session’.”

Rule 6, as it is, reads like this :

“At the commencement of every session the Speaker shall nominate from amongst the members of the Assembly a panel of not more than four Chairmen

I have suggested to substitute the words “the first” for the word “every” so that it would be unnecessary for the

Speaker to nominate a panel of Chairmen at every session. I think at least this amendment will find acceptance of the Hon'ble Minister. Further, I believe that the practice prevailing in the Parliament is to nominate at the first session.

Mr. SPEAKER.—Amendment moved :

“That the words “the first” shall be substituted for the word “every” occurring between the words “of” and “session”.”

The Hon'ble Sri K. T. BHASHYAM.—I think the practice in the Parliament is just the other way about, because at every session a panel of Chairmen is being announced by the Speaker. I should have had no objection to accept this amendment because it is a simple matter. But I request the Hon'ble Member to consider whether it would not be better that panels are announced at every session and fresh members are called upon to bear the responsibility so that a larger number of members of the House may have the opportunity to get acquainted with the procedure and get more and more experienced in Parliamentary practice. It is in the interest of the House that a panel should be announced at every session rather than at the commencement. I consider that it is better to have the existing practice as it is. I do not think that the amendment would be accepted by any member of this House. I oppose the amendment.

Sri L. SIDDAPPA.—I do not press it.

The amendment was, by leave of the House, withdrawn.

Mr. SPEAKER.—The question is :

“That Rule 6 stand part of the Rules of Procedure.”

The motion was adopted.

Rule 6 was added to the Rules of Procedure.

Mr. SPEAKER.—Rules 7 to 12, both inclusive. The question is :

“That Rules 7 to 12, both inclusive, stand part of the Rules of Procedure.”

The motion was adopted.

Rules 7 to 12, both inclusive, were added to the Rules of Procedure.

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Mr. SPEAKER.—Rule 13.

Sri L. SIDDAPPA.—Sir, I beg to move:

"That in Rule 13 for the heading 'Prorogation of the Assembly' the following new heading shall be substituted:—

'Consequences of Prorogation'."

Instead of 'Prorogation of the Assembly' the heading may be 'Consequences of Prorogation'.

Secondly I move:

That sub-rule (a) shall be deleted.

Rule (13) (a) says:

"A session of the Assembly is terminated by prorogation."

That would be unnecessary because you will be pleased to find in article 174 of the Constitution that provision prorogation is already made. Article 174 reads as follows:—

"174. (1) The House or Houses of the Legislature of the State shall be summoned to meet twice at least in every year, and six months shall not intervene between their last sitting in one session and the date appointed for their first sitting in the next session.

(2) Subject to the provisions of clause (1) the Governor may from time to time—

(a) summon the House or either House to meet at such time and place as he thinks fit;

(b) prorogue the House or Houses;

(c) dissolve the Legislative Assembly."

Of course the word 'Governor' applies in respect of Part A States. In respect of Part B States, the Rajpramukh will have to do it. Since there is already Provision made under the Constitution, I think that sub-rule (a) is unnecessary. That is why I suggest that it may be deleted.

My third amendment is:

"That in sub-rule (b), the words 'of such lapsed notices, if desired' shall be inserted between the words 'notice' and 'must'."

Sub-rule (b) reads like this:

"(b) On the prorogation of a session, all pending notices other than notices of intention to move for leave to introduce a Bill shall lapse, and fresh notice must be given for the next session."

I have said by my amendment that instead of merely 'fresh notice' 'fresh notices of such lapsed notices if desired' must be given at the next session.

These are the three minor amend-

ments that I have suggested to Rule 13.

Mr. SPEAKER.—Amendment moved:—

"That in Rule 13 for the heading 'Prorogation of the Assembly' the following new heading shall be substituted:—

'Consequences of prorogation'.

'That sub-rule (a) shall be deleted.'

'That in sub-rule (b), the words 'of such lapsed notices, if desired' shall be inserted between the words 'notice' and 'must'."

The Hon'ble Sri K. T. BHASHYAM.—

Sir, there is not much substance in these amendments. Whether we call it 'prorogation' or 'consequences of prorogation' it is just the same. We have adopted the wording 'Prorogation of the Assembly' just to point out that at a particular stage the Assembly may be prorogued, and what consequences will follow will be contained in the body of the section. We are drawing the attention of the Hon'ble Members to the act of prorogation by putting it under the head-note 'Prorogation of the Assembly'. What consequences follow, is a different matter. They will come in the body. 'Prorogation of the Assembly' is the proper head-note.

Regarding 13(a), the Hon'ble Member says that it should be omitted because some provision has been made in article 174 of the Constitution. The Hon'ble Member should not forget that that article says merely that it must be prorogued. What exactly will be the consequences of proroguing are not mentioned there, although we ordinarily understand that proroguing means termination. But we must make it clear; it may be postponement, it may be adjournment; we want to make it definitely clear what exactly it will result in. That is why we say that a session of the Assembly is terminated by prorogation. For instance last time, we sat in March, now we are sitting again in May. There was no prorogation. It was a mere adjournment. Therefore, this is a continuation of the previous session. If there had been prorogation, this would be a new session altogether and in order to differentiate between an adjourned session and a new session, we say that 'prorogation' means 'termination of the Session.'

That is definitely made clear. There is no harm in its being there, even though, of course, my Hon'ble friend and I know it clearly. There is no harm in making it clear. After all we are beginning new forms of parliamentary practices and it is better that everybody knows what exactly is meant. That is why we say 'A session of the Assembly is terminated by prorogation'. There is no equivocation in it. Therefore it is better to retain it than delete it.

The addition of the words 'of such lapsed notices, if desired' is really not necessary and it does not make good reading. Let us read the section:

"(b) On the prorogation of a session, all pending notices other than notices of intention to move for leave to introduce a Bill shall lapse, and fresh notice must be given for the next session."

To make it read as:

"...and fresh notices of such lapsed notices, if desired, must be given..."

is no improvement at all. It does not make good reading. 'Fresh notices must be given' means that it can be notice of even lapsed subjects. It is clearly defined. Adding these words as suggested does not improve the reading either. I therefore request the Hon'ble Member not to press this amendment. After all, he will agree that these are matters of no great importance.

Sri L. SIDDAPPA.—I beg leave to withdraw the amendments.

The amendments were, by leave of the House, withdrawn.

Mr. SPEAKER.—The question is:

"That Rule 13 stand part of the Rules of Procedure."

The motion was adopted.

Rule 13 was added to the Rules of Procedure.

Mr. SPEAKER.—Rule 14.

The Hon'ble Sri K. T. BHASHYAM.—Sir, I beg to move:

"That in Rule 14 for sub-rule (1) the following sub-rule shall be substituted:

"(1) On the day appointed by His Highness the Maharaja for the commencement and holding of the first Session of the Assembly of each year, (not

being a new Assembly) and in the case of a new Assembly at the first sitting of the Assembly after the election of the Speaker, His Highness shall address the Assembly as required by article 176 of the Constitution."

What happens now is this. Under article 176 whenever an Assembly is called the Rajpramukh will have to come and deliver an Address. It is considered on all hands unnecessary that he must be called upon to address every Session. At the first Session in the year if he comes and addresses, that would suffice. That is the intention of this amendment. Every year, we meet several times and at the first time we meet in a year, if the Rajpramukh addresses us, that will do. At other Sessions, he need not have to come and address. There is one exception. If after election, a new Assembly comes into being, it may start in the month of April, May or June. At that newly constituted Assembly at the first meeting, His Highness cannot come and address the House, because the Speaker will not have been elected. Therefore we say, that in the case of a new Assembly reconstituted after elections, the first meeting shall be devoted for the election of the Speaker and at the meeting after the election of the Speaker, the Rajpramukh shall come and address. It is a very practicable amendment Sir, and I commend it to the acceptance of the House.

Mr. SPEAKER.—Amendment moved:

"That in Rule 14 for sub-rule (1) the following sub-rule shall be substituted:

"(1) On the day appointed by His Highness the Maharaja for the commencement and holding of the first session of the Assembly of each year, (not being a new Assembly) and in the case of a new Assembly at the first sitting of the Assembly after the election of the Speaker, His Highness shall address the Assembly as required by article 176 of the Constitution."

Sri T. RAMACHAR (Kolar District—General) and **Sri V. M. MASCARENHAS** (Bangalore Retroceded Area-General).—Why the first Session, why not the Budget Session each year?

Sri L. SIDDAPPA (Shimoga District—General).—I think there is also a similar amendment being moved in the Parliament.

The Hon'ble Sri K. T. BHASHYAM.—First session, because in the Parliament they are moving an amendment to the Constitution where they say that at the First Session the Rajpramukh or the Governor shall address. We will have to follow suit.

Mr. SPEAKER.—The question is:

"That in Rule 14 for sub-rule (1) the following sub-rule shall be substituted:

"(1) On the day appointed by His Highness the Maharaja for the commencement and holding of the first session of the Assembly of each year, (not being a new Assembly) and in the case of a new Assembly at the first sitting of the Assembly after the election of the Speaker, His Highness shall address the Assembly as required by article 176 of the Constitution."

The motion was adopted.

Mr. SPEAKER.—Sri Siddappa has an amendment.

Sri L. SIDDAPPA.—Sir, I beg to move:

"That in sub-rule (3) of Rule 14, the words 'Any member of the Assembly' shall be substituted for the words 'The Leader of the House or any other member authorised by him' and the word 'then' occurring between the words 'may' and 'move' shall be deleted."

ಇದರಲ್ಲಿ ನನ್ನ ಉದ್ದೇಶವಿಷ್ಟೆ. ಈಗಿರುವ ಹಾಗೆ ಸಭಾನಾಯಕರು ಅಥವಾ ಅವರಿಂದ ಅಧಿಕಾರ ಪಡೆದವರು ಮಾತ್ರ ಈ ಕಾರ್ಯವನ್ನು ಮಾಡಬಹುದಾಗಿದೆ. ಆದರೆ ಅದಕ್ಕೆ ಬದಲಾಗಿ ಈ ಸಭೆಯ ಯಾವ ಸದಸ್ಯರಾದರೂ ಮಾಡಲು ಅವಕಾಶವಿರಲಿ ಎಂಬ ಉದ್ದೇಶದಿಂದ ಈ ತಿದ್ದುಪಡಿಯನ್ನು ತಂದಿದ್ದೇನೆ.

Mr. SPEAKER.—Amendment moved:

"That in sub-rule (3) of Rule 14, the words 'Any member of the Assembly' shall be substituted for the words 'The Leader of the House or any other Member authorised by him' and the word 'then' occurring between the words 'may' and 'move' shall be deleted."

The Hon'ble Sri K. T. BHASHYAM.—Sir, I am sorry I cannot accept this amendment. The ordinary practice in all Parliaments is that this Address is generally sponsored by the majority party, that is, the party of the Government. Sometimes as in the House of Commons, some back benchers belonging to the Treasury Bench sponsor the Address to the Throne. In our Parliaments ordinarily any member of the majority party could sponsor such a motion according to the existing practice now.

Sri L. SIDDAPPA.—It is invariably so.

The Hon'ble Sri K. T. BHASHYAM.—Quite so. I agree. That is why I say we shall fall in line with all the Parliaments and it is a wholesome Parliamentary practice because an Address to the Throne, an Address to the Rajpramukh should have a guarantee of being passed and therefore it is said that the majority party may move it. It is always open to the minorities to table amendments to it so that their view also may be brought into play in making such an Address and that is why, as a sort of adjustment between the parties, the majority party is called upon to sponsor the motion and the minority party might table an amendment to it and if the main Address is passed, the Address will be sent. Instead of saying 'any member of the majority party' we said 'Leader of the House or any Member authorised by him'. This is in order to prevent conflicts between several members sending in the motion. We fix the responsibility on the Leader of the House. Either he does it or somebody authorised by him does it. It is a wholesome practice to follow. I appeal to the Hon'ble Member opposite to accept the view that we have put forward and not press his amendment.

Sri L. SIDDAPPA.—I seek the permission of the House to withdraw my amendment.

The amendment was, by leave of the House, withdrawn.

Mr. SPEAKER.—There are two amendments tabled by the Hon'ble Law Minister.

The Hon'ble Sri K. T. BHASHYAM.—Sir, I do not propose to move one of the amendments regarding the deletion of sub-rule 5. I beg to move the other amendment.

"That in sub-rule (5) the words 'shall take precedence over all other business, except questions, formal business, urgent motions and urgent bills and' shall be omitted."

It is because there is an amendment tabled by the Parliament that the question of precedence may be left to the Hon'ble Speaker and he may fix

the days on which the Address shall be debated upon. Therefore, we say that it is sufficient if this sub-rule reads thus :

"The debate on the Address shall take place on such day or days as the Speaker, in consultation with the Leader of the House, shall fix for this purpose."

The precedence question does not arise. I therefore suggest that these words may be omitted so as to fall in line with the Parliament.

Mr. SPEAKER.—The question is :

"That in sub-rule (5) the words 'shall take precedence over all other business, except questions, formal business, urgent motions and urgent bills and 'shall be omitted.'"

The motion was adopted.

Mr. SPEAKER.—There is another amendment tabled by Sri Siddappa in respect of this Rule.

Sri L. SIDDAPPA.—In view of the previous amendments having been adopted, I do not propose to move my amendment.

Mr. SPEAKER.—The question is :

"That Rule 14, as amended, stand part of the Rules of Procedure."

The motion was adopted.

Rule 14, as amended, was added to the Rules of Procedure.

Mr. SPEAKER.—Rules 15 to 23, both inclusive. The question is :

"That Rules 15 to 23, both inclusive, stand part of the Rules of Procedure."

The motion was adopted.

Rules 15 to 23, both inclusive, were added to the Rules of Procedure.

Mr. SPEAKER.—Rule 24.

Sri L. SIDDAPPA.—In respect of Rule 24, I have a small amendment. I beg to move :

"That the words 'day of' shall be inserted between the words 'every' and 'meeting.'"

ಅಂದರೆ, "Unless the Speaker otherwise directs, the first hour of every meeting shall be available for the asking and answering of questions." ಎಂತಿದೆ. That means, even the afternoon session in which we will be meeting the first hour may be availed of for questions and answers. So instead

of giving rise to any doubt regarding that point, I have said "the first hour of every day of meeting."

Mr. SPEAKER.—Amendment moved—

"That the words 'day of' shall be inserted between the words 'every' and 'meeting.'"

The Hon'ble Sri K. T. BHASHYAM.—I have very great pleasure in accepting this amendment.

Mr. SPEAKER.—The question is :

"That the words 'day of' shall be inserted between the words 'every' and 'meeting.'"

The motion was adopted.

Mr. SPEAKER.—The question is :

"That Rule 24, as amended, stand part of the Rules of Procedure."

The motion was adopted.

Rule 24, as amended, was added to the Rules of Procedure.

Mr. SPEAKER.—Rules 25 to 32, both inclusive, the question is :

"That Rules 25 to 32, both inclusive, stand part of the Rules of Procedure."

The motion was adopted.

Rules 25 to 32, both inclusive, were added to the Rules of Procedure.

Mr. SPEAKER.—Rule 33,

The Hon'ble Sri K. T. BHASHYAM.—

Sir, I beg to move,—

"That in sub-rule (2) for the words 'when called by the Speaker may' the words 'may with the permission of the Speaker' shall be substituted."

It is purely verbal. The point is if the Speaker calls upon a person to put a supplementary question, he may or he may not put it, but if an Hon'ble Member wants to put a supplementary question and catches the eye of the Speaker and the latter gives permission, then the Hon'ble Member may put a supplementary question. It is merely a verbal arrangement in the wording and there is nothing further about it. I commend this for the acceptance of the House.

Mr. SPEAKER.—The question is :

"That in sub-rule (2) for the words 'when called by the Speaker may' the words 'may with the permission of the Speaker' shall be substituted."

The motion was adopted.

Mr. SPEAKER.—The question is :

"That Rule 33, as amended, stand part of the Rules of Procedure."

The motion was adopted.

Rule 33, as amended, was added to the Rules of Procedure.

Mr. SPEAKER.—Rules 34 to 38, both inclusive. The question is —

"That Rules 34 to 38, both inclusive, stand part of the Rules of Procedure."

The motion was adopted.

Rules 34 to 38, both inclusive, were added to the Rules of Procedure.

Mr. SPEAKER.—Rule 39.

The Hon'ble Sri K. T. BHASHYAM.—

Sir, I beg to move—

"(i) That in sub-rule (1) —

"(a) for the words 'half an' the words 'not more than one' shall be substituted.

"(b) The words 'from 5 P.M. to 5-30 P.M.' shall be omitted.

"(c) Between the words 'Friday,' and 'for raising' the words 'at the conclusion of the business of the day' shall be inserted.

"(d) The first proviso shall be omitted."

"(ii) In Sub-rule 5, for the word 'shortly' the word 'briefly' shall be substituted.

It has been suggested in these draft Rules that half an hour shall be set apart for discussing matters arising out of interpellations about which I made a reference in my preliminary statement. Now it is felt by some members that half an hour might be too insufficient and that it should be increased to one hour. So I have suggested that the Speaker shall allot not more than one hour for the purpose. That is No. 1.

The other one is that the words 'from 5 P.M. to 5-30 P.M.' may be omitted. That is for two reasons. Because half an hour has been changed to one hour according to my amendment, it should be from 5 to 6 P.M. or so. But I say that it is not necessary to make any mention of the hour in view of the further amendment which I am proposing, saying that it may be taken up at the conclusion of the business of the day. The other amendment is 'between the words 'Friday' and 'for raising' the

words 'at the end of the day' shall be inserted. Then sub-rule (1) with the amendment will read thus :

"The Speaker shall allot not more than one hour on two days in a week, namely, Wednesday and Friday, at the end of the business of each day, for raising discussion on a matter of sufficient public importance....."

If the amendment is accepted, that two days will be allotted in a week (Wednesdays and Fridays) and not more than one hour shall be allotted at the end of the day's business for discussing matters of importance, the first proviso would become unnecessary because the proviso says "Provided that if the other business set down for the day is concluded before 5 P.M....." We say 'at the conclusion of the business of the day' wherever it happens. So the proviso becomes unnecessary. Therefore the other amendment is that 'the first proviso may be omitted. This is in respect of sub-rule (1).

There is another sub-rule in respect of which I beg to move a verbal amendment. That is sub-rule (5).

In sub-rule (5) I suggest that instead of the word 'shortly', the word 'briefly' may be put in, because the member who gives notice may make a short statement and the Minister concerned shall reply briefly. It is only one hour and there may be many matters which may have to be discussed. So we suggest that any member may make a short statement and the Minister shall reply briefly.

So these amendments are desirable and I commend them to the acceptance of the House.

Mr. SPEAKER.—Amendment moved.—

"(i) That in sub-rule (1).

(a) for the words 'half an' the words 'not more than one' shall be substituted;

(b) the words 'from 5 P.M. to 5-30 P.M.' shall be omitted;

(c) Between the words 'Friday' and 'for raising' the words 'at the conclusion of the business of the day' shall be inserted,

(d) the first proviso shall be omitted.

(ii) That in sub-rule (5) for the word 'shortly' the word 'briefly' shall be substituted."

***Sri T. MADIHA GOWDA (Bangalore District-General)**—From sub-rule 5 it

looks as though the mover makes a short statement and the Minister will give a brief reply. I want to know whether there is any room for any discussion. Because in sub-rule (1) it is stated: "for raising discussion on a matter of sufficient public importance". So one hour's time will be unnecessary. What is proposed according to rule 39 is instead of half an hour it is one hour, the object being that there may be discussion in the House on the matter raised by the members after having given notice. It looks from sub-clause 5 that there will be only a statement made by the mover of that motion and immediately there will be reply by the Minister. In that case there will be no discussion by the other members of the House. So I consider that one hour is quite unnecessary because the member will have to make only a short statement and the Minister will give a brief reply. Half an hour is quite ample for that purpose.

The Hon'ble Sri K. T. BHASHYAM.—The answer to that is three-fold. Firstly, the making of a statement and the making of a reply is itself a discussion and secondly, there is another sentence in this sub-rule, namely, "Any member who has previously intimated to the Speaker may be permitted to put a question for the purpose of further elucidating any matter of fact." Therefore it does not prevent other members, if they want to participate, to frame questions to elucidate replies so that they may have further elucidation in the matter. Thirdly, what I suggest is this. There will be so many questions during the week. There are only two days set apart during the week of 5 days or 6 days. There will be about 100 questions and it may be that even 5 or 10 members may like to make some statements and get replies. This will take one full hour. Half an hour will not do. In view of the large number of questions answered during the week and fairly large number of members making statements and asking for elucidation, one hour is necessary. If only 2 or 3 members put questions and get replies, nothing binds us to sit for one full hour. We get away. I there-

fore hope that these 3 points may satisfy the Hon'ble Member.

***Sri T. MADIAH GOWDA.**—I wish to know if on any particular day more than one motion may be made.

The Hon'ble Sri K. T. BHASHYAM.—Yes. As many may be permitted as the Hon'ble Speaker likes.

Mr. SPEAKER.—The question is:—

(i) That in sub-rule (1) —

(a) for the words 'half an' the words 'not more than one' shall be substituted;

(b) the words 'from 5 p.m., to 5-30 p.m., shall be omitted;

(c) between the words 'Friday' and 'for raising' the words 'at the conclusion of the business of the day' shall be inserted;

(d) the first proviso shall be omitted;

(ii) That in sub-rule (5) for the words 'shortly' the word 'briefly' shall be substituted."

The motion was adopted.

Mr. SPEAKER.—The question is:—

"That Rule 39, as amended, stand part of the Rules of Procedure."

The motion was adopted.

Mr. SPEAKER.—Rules 40 to 48 both inclusive. The question is:

"That Rules 40 to 48, both inclusive, stand part of the Rules of Procedure."

The motion was adopted.

Rules 40 to 48, both inclusive, were added to the Rules of Procedure.

Mr. SPEAKER.—Rule 49.

The Hon'ble Sri K. T. BHASHYAM.—

Sir, I beg to move:

"That in sub-rule (3) for the words 'fifteen days' the words 'fifteen clear days before the commencement of the session at which the member desires to move for leave to introduce the bill shall be substituted.'"

The position is very simple. It is a question of calculating the 15 days. Supposing a member moves a Bill on the tenth day of the session and he gives notice of the Bill just five days before the meeting. It will be 15 days and it will satisfy the rules. But that is not the intention with which we drafted the rules. We want the Bill to be in the hands of the members for full 10 or 15 days so that they may come prepared with the details. Therefore we want that any motion to introduce

(THE HON'BLE SRI K. T. BHASHYAM).

a Bill should be made 15 clear days before the commencement of the Session. That will give full time to the members to get ready. This is the object with which we are making this amendment and I hope Hon'ble Members will accept it.

Mr. SPEAKER.—The question is :

"That in sub-rule (3) for the words 'fifteen days' the words 'fifteen clear days' before the commencement of the session at which the member desires to move for leave to introduce the Bill' shall be substituted."

The motion was adopted.

Mr. SPEAKER.—The question is :

"That Rule 49, as amended, stand part of the Rules of Procedure."

The motion was adopted.

Rule 49, as amended, was added to the Rules of Procedure.

Mr. SPEAKER.—Rules 50 to 52, both inclusive. The question is :

"That Rules 50 to 52, both inclusive, stand part of the Rules of Procedure."

The motion was adopted.

Rules 50 to 52, both inclusive, were added to the Rules of Procedure.

Mr. SPEAKER.—Rule 53.

Sri L. SIDDAPPA.—Sir, I beg to move :

"That in sub-rule (1), between the existing items (i) and (ii) a new item shall be added as follows and the existing item (ii) shall be renumbered as item (iii) :—

(ii) That it be referred to a Select Committee; or."

I find that there is a corresponding rule in the Rules of Procedure and Conduct of Business in Parliament as Rule 50. They have made a similar provision and I think it is a wholesome provision and it may be adopted here.

Mr. SPEAKER.—Amendment moved:

"That in sub-rule (1), between the existing items (i) and (ii) a new item shall be added as follows and the existing item (ii) shall be renumbered as item (iii) :—

(ii) That it be referred to a Select Committee; or."

The Hon'ble Sri K. T. BHASHYAM.—Sir, the existing practice is what the Hon'ble Member wants to be perpetu-

ated. But as I said in my preliminary statement, it is better that this reference to Select Committee comes after the motion for consideration is passed by the House. As I have already stated it is better that a Bill is taken into consideration and then either passed on to a Select Committee or retained for consideration in the House. What will happen if we accept the amendment of the Hon'ble Member is this. If after the Bill is introduced and a motion is made that it be referred to a Select Committee, suppose the motion fails; then the whole Bill goes. That is the risk we will be running into if we accept the amendment. Therefore we have made it clear.

The Hon'ble Member was pleased to refer to the practice in other places. As I already stated, we shall take the best out of every Parliament. I think it better that we allow the consideration motion to be passed and then to either consider the Bill here or refer it to the Select Committee. We should not run the risk of the whole Bill being dropped, merely because we do not want it to be sent to a Select Committee. I hope the Hon'ble Member will not press his amendment.

Sri L. SIDDAPPA.—I withdraw the amendment.

The amendment was, by leave of the House, withdrawn.

Mr. SPEAKER.—The question is :

"That Rule 53 stand part of the Rules of Procedure."

The motion was adopted.

Rule 53 was added to the Rules of Procedure.

Mr. SPEAKER.—Rules 54 to 96, both inclusive. The question is :

"That Rules 54 to 96, both inclusive, stand part of the Rules of Procedure."

The motion was adopted.

Rules 54 to 96, both inclusive, were added to the Rules of Procedure.

Mr. SPEAKER.—Rule 97. There is an amendment by the Hon'ble Sri K. T. Bhashyam.

The Hon'ble Sri K. T. BHASHYAM.—My amendment reads like this :

"That sub-rules (2), (3) and (4) shall be renumbered as sub-rules (3), (4) and (5) respectively and before sub-rule (3) as so renumbered, the following new sub-rule shall be inserted as sub-rule (2) :—

'(2). Casual vacancies among the members of the committee shall be filled by nomination as soon as possible after they occur'."

This amendment is necessitated by the fact that where there is a casual vacancy of the Chairman, we cannot nominate because the Deputy Speaker is the *ex-officio* Chairman and he cannot be nominated. I have therefore confined the nomination to vacancies among the members of the Committee who are all nominated by the Speaker. Originally I had put in the words "casual vacancies in the committee". I do not propose to move that. I am making a distinction that so far as the Deputy Speaker is concerned it is a different matter and we cannot nominate him; so far as members are concerned, if there is a vacancy among them, the Speaker can fill it up by nomination. That is the simple object of the amendment. I hope it will be accepted.

Mr. SPEAKER.—The question is :

"That sub-rules (2), (3) and (4) shall be renumbered as sub-rules (3), (4) and (5) respectively and before sub-rule (3) as so renumbered, the following new sub-rule shall be inserted as sub-rule (2) :—

'(2) Casual vacancies among the members of the committee shall be filled by nomination as soon as possible after they occur'."

The motion was adopted.

Mr. SPEAKER.—The question is :

"That Rule 97, as amended, stand part of the Rules of Procedure"

The motion was adopted.

Rule 97, as amended, was added to the Rules of Procedure.

Mr. SPEAKER.—Rules 98 to 120, both inclusive. The question is :

"That Rules 98 to 120, both inclusive, stand part of the Rules of Procedure."

The motion was adopted.

Rules 98 to 120, both inclusive, were added to the Rules of Procedure.

Mr. SPEAKER.—Rule 121. There is an amendment by Sri L. Siddappa.

Sri L. SIDDAPPA.—My amendment reads like this :

"That sub-rules (2) and (3) shall be renumbered as (3) and (4) respectively and before sub-rule (3) as so renumbered, the following sub-rule shall be added as sub-rule (2) :—

'(2) Whenever a Minister moves demands for grants he shall briefly explain to the House the working of the department or departments covered by the grant in question during the year and the scheme or schemes which Government intend to put forward during the ensuing year'."

In moving this amendment I submit that there is already this practice prevailing in the Parliament and I would put it for the consideration of the House that it is very necessary and desirable here also that while the Minister in charge moves the demand for grant he should give a brief statement of the working of the department or departments covered by the grant so that it will better facilitate discussion in the House. I think it is a healthy rule and it may be adopted.

Mr. SPEAKER.—Amendment moved:

"That sub-rules (2) and (3) shall be renumbered as (3) and (4) respectively and before sub-rule (3) as so renumbered, the following sub-rule shall be added as sub-rule (2) :—

'(2) Whenever a Minister moves demands for grants he shall briefly explain to the House the working of the department or departments covered by the grant in question during the year and the scheme or schemes which Government intend to put forward during the ensuing year'."

The Hon'ble Sri K. T. BHASHYAM.—I should have had no objection to accept this amendment.

Sri L. SIDDAPPA.—The Hon'ble Minister may take time and consult his colleagues.

The Hon'ble Sri K. T. BHASHYAM.—I have consulted them and I consider it rather superfluous because you will find that in the course of the Budget Session there will be a debate on the Rajpramukh's Address when many of these matters will come in for discussion in a limited way. Then there will be a general discussion on the Budget when matters in respect of the departments and the policies and programmes of the Government will come in for detailed discussion. Then during the voting on demands over a period of ten days which we have already agreed

(THE HON'BLE SRI K. T. BHASHYAM). upon, the details of the departments will come in for discussion. If on the top of all these, a Minister should make a statement about the working of the department or departments covered by the grant in question during the year and make out a long list of schemes which have been undertaken, or which he proposes to undertake, it is not merely superfluous but tedious because, the Budget will disclose all the schemes which the Government propose to undertake and the discussions will bring the high lights in the Budget to the attention of the Hon'ble Members. It will be merely a waste of valuable time which we could otherwise spend on discussion of cut motions which really form part of the Budget discussion. I therefore suggest to the Hon'ble Member in the interest of the Hon'ble Members and of the House not to ask a Minister to make a long statement of what has been done and what is to be done during the year. It will be in the interest of the Hon'ble Member himself to have more time for cut motions. For all these reasons this amendment is unnecessary and undesirable and I hope it will not be pressed.

—SRI D. H. CHANDRASEKHARAIYA (Chitaldrug District—General).—Will it be possible for the Government to issue a statement in respect of the schemes as is done in the Parliament?

—THE HON'BLE SRI K. T. BHASHYAM.—That we have been doing and we shall do.

SRI L. SIDDAPPA.—I am not convinced but being helpless I withdraw the amendment.

The amendment was, by leave of the House, withdrawn.

—MR. SPEAKER.—The question is:

"That Rule 121 stand part of the Rules of Procedure."

The motion was adopted.

Rule 121 was added to the Rules of Procedure.

MR. SPEAKER.—Rules 122 and 123. The question is:

"That Rules 122 and 123 stand part of the Rules of Procedure."

The motion was adopted.

Rules 122 and 123 were added to the Rules of Procedure.

MR. SPEAKER.—Rule 124. There is an amendment by the Hon'ble Sri K. T. Bhashyam.

THE HON'BLE SRI K. T. BHASHYAM.—Sir, I beg to move:

"That for sub-rule (2) the following sub-rule shall be substituted:—

"(2) On the last day of the allotted days, at five o'clock or at the hour fixed for the termination of the day's meeting, the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the demands for grants."

It is merely for the purpose of stating that if the session is held at any other part of the day than usual, this rule should not run against us. As it is the rule says:

"On the last day of the allotted days, at five o'clock, the Speaker shall forthwith put every question....."

Supposing it happens to be a Saturday and we sit in the morning; then we shall have to sit till five o'clock before matters are disposed of. That is why I have stated "On the last day of the allotted days, at five o'clock or at the hour fixed". It may be 12 o'clock. It is a simple verbal amendment and I hope Hon'ble Members will accept it.

MR. SPEAKER.—The question is:

"That for sub-rule (2) the following sub-rule shall be substituted:—

"(2) On the last day of the allotted days, at five o'clock or at the hour fixed for the termination of the day's meeting, the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the demands for grants."

The motion was adopted.

MR. SPEAKER.—The question is:

"That Rule 124, as amended, stand part of the Rules of Procedure."

The motion was adopted.

Rule 124, as amended, was added to the Rules of Procedure.

Mr. SPEAKER.—Rules 125 to 133, both inclusive. The question is :

"That Rules 125 to 133, both inclusive, stand part of the Rules of Procedure."

The motion was adopted.

Rules 125 to 133, both inclusive, were added to the Rules of Procedure.

Mr. SPEAKER.—Rule 134.

The Hon'ble Sri K. T. BHASHYAM.—I beg to move :

"That in sub-rule (3) the following words shall be added by removing the full stop at the end of the sentence :—

'Or until the next Committee is appointed whichever is later.'"

It may so happen that at the end of the year we may not be able to constitute any Public Accounts Committee and it may take some time. I therefore suggest that the term of office of the members of the committee shall be one year or until the next committee is appointed, whichever is later. It is a very practicable amendment and I hope Hon'ble Members will accept it.

Mr. SPEAKER.—Amendment moved :

"That in sub-rule (3) the following words shall be added by removing the full stop at the end of the sentence :—

'Or until the next Committee is appointed whichever is later.'"

***Sri T. MADIHA GOWDA** (Bangalore District—General).—I want one point to be cleared. According to sub-clause (6) the Chairman of the Committee shall be appointed by the Speaker. There will be the Finance Minister and six members elected by this House. As usual the Finance Minister will be the Chairman of the Committee and the question of nominating the Chairman does not arise at all.

Sri D. H. CHANDRASEKHARAIYA (Chitaldrug District—General).—Under the new rules the Speaker has got powers to nominate any member of the Committee as Chairman.

The Hon'ble Sri K. T. BHASHYAM.—These are committees appointed by the House here and as the Head of the House, it is the Speaker's privilege to appoint the Chairman. It is the usual convention.

L. A.

Mr. SPEAKER.—The question is :

"That in sub-rule (3) the following words shall be added by removing the full stop at the end of the sentence :—

'Or until the next Committee is appointed whichever is later.'"

The motion was adopted.

Mr. SPEAKER.—The question is :

"That Rule 134, as amended, stand part of the Rules of Procedure."

The motion was adopted.

Rule 134, as amended, was added to the Rules of Procedure.

Mr. SPEAKER.—Rules 135 and 136. The question is :

"That Rules 135 and 136 stand part of the Rules of Procedure."

The motion was adopted.

Rules 135 and 136 were added to the Rules of Procedure.

Mr. SPEAKER.—Rule 137.

The Hon'ble Sri K. T. BHASHYAM.—

I beg to move :

"That in sub-rule (3) the following words shall be added by removing the full stop at the end of the sentence :—

'Or until the next Committee is appointed whichever is later.'"

The same argument which I advanced in respect of the previous amendment applies to this also.

Mr. SPEAKER.—The question is :

"That in sub-rule (3) the following words shall be added by removing the full stop at the end of the sentence :—

'Or until the next Committee is appointed whichever is later.'"

The motion was adopted.

Mr. SPEAKER.—There is another amendment.

The Hon'ble Sri K. T. BHASHYAM.—

I beg to move :

"That in sub-rule (10) the words, "undivided" and "whole" wherever they occur shall be omitted."

The position is this. "The Committee may appoint one or more sub-committees, each having the powers of the undivided committee"

It is unnecessary to say that as between the sub-committee and the

(THE HON'BLE SRI K. T. BHASHYAM.)
Committee there is a difference.
'Undivided' is unnecessary.

"To examine any matters that may be referred to them, and the reports of such sub-committees shall be deemed to be the reports of the whole Committee....."

"The whole committee" is unnecessary. Therefore, the words 'undivided' and 'whole' are unnecessary.

Mr. SPEAKER.—Amendment moved :

"That in sub-rule (10) the words "undivided" and "whole" wherever they occur shall be omitted."

*Sri T. MADIHA GOWDA (Bangalore District—General).—In this rule I see that no provision is made for any member of the Government to be present at a meeting of the Estimates Committee. So, entirely the members elected by this House will be on the Committee. Not even the Minister or any officer of the Government will be there to explain any matter. At least in the Public Accounts Committee there will be the Minister for Finance. But, here I do not see any Minister. Will the Hon'ble Members of this House alone be able to prepare a report or estimates and all that? Is that the idea of the Committee?

Sri L. SIDDAPPA (Shimoga District—General).—Regarding the point raised by my Hon'ble friend I find that the practice in the Estimates Committee appointed in Parliament is that the Estimates Committee at the first meeting prepares its own rules and procedure wherein provision for summoning officers is made. So, the point suggested by the Hon'ble Member is unnecessary. The rule as it is is quite all right.

Sri D. H. CHANDRASEKHARAIYA (Chitaldrug District—General).—I would like to answer the point raised by the Hon'ble Member Sri T. Madiha Gowda. Sub-rule 12, which runs as follows :—

"The Committee may hear officials or take other evidence connected with the estimates under examination....."

Provides enough power to the Committee to send for the officials of the departments and take their evidence with regard to any matter.

So, there is no necessity to include any other body in the Committee.

Sri T. MADIHA GOWDA.—Do they not take part in the deliberations of the Committee?

Sri D. H. CHANDRASEKHARAIYA.—Not necessarily. The Committee may send for any officer and ask for any information that arises in the course of the discussion in the Committee.

Mr. SPEAKER.—The question is :

"That in sub-rule (10) the words "undivided" and "whole" wherever they occur shall be omitted."

The motion was adopted.

Mr. SPEAKER.—The question is :

"That Rule 137, as amended, stand part of the Rules of Procedure."

The motion was adopted.

Rule 137, as amended, was added to the Rules of Procedure.

Mr. SPEAKER.—Rule 138.

The Hon'ble Sri K. T. BHASHYAM.—I beg to move :

"That in sub-rule (1) the following sentence shall be added at the end :—

"On Saturdays the office will be open for this purpose between the hours of 8 a. m. to 12 noon."

Mr. SPEAKER.—The question is :

"That in sub-rule (1) the following sentence shall be added at the end :—

"On Saturdays the office will be open for this purpose between the hours of 8 a. m. to 12 noon."

The motion was adopted.

Mr. SPEAKER.—The question is :

"That Rule 138, as amended, stand part of the Rules of Procedure."

The motion was adopted.

Rule 138, as amended, was added to the Rules of Procedure.

Mr. SPEAKER.—Rules 139 to 170, both inclusive. The question is :

"That Rules 139 to 170, both inclusive, stand part of the Rules of Procedure."

The motion was adopted.

Rules 139 to 170, both inclusive, were added to the Rules of Procedure.

Mr. SPEAKER.—Rule 171.

Sri L. SIDDAPPA.—Sir, these rules 171 to 174 make provision for the appointment of the privileges committee. I find in article 194 and article 105 of the Constitution that provision is made for the privileges and immunities of the Members of the Legislature. Article 105 applies to the Members of Parliament and article 194 applies to the Members of the State Legislatures. Article 194 (3) reads as follows :

"194 (3) In other respects, the powers, privileges and immunities of a House of the Legislature of a State, and of the members and the committees of a House of such Legislature, shall be such as may from time to time be defined by the Legislature by law, and until so defined, shall be those of the House of Commons of the Parliament of the United Kingdom, and of its members and committees, at the commencement of this Constitution."

Mr. SPEAKER.—That is about the privileges of the House. These rules deal with the constitution of a privileges Committee.

Sri L. SIDDAPPA.—I find from a recent publication, in the latest *Mysore Gazette*, that a similar bill has been published. It has been introduced in the Parliament and it makes similar provisions for the appointment of the Privileges Committee. Article 105 of the Constitution makes provision for the constitution of Privileges Committee for the Parliament and the relevant provision for State Legislatures is article 194. In article 194 sub-rule (3) there is provision for introducing a bill in this House for the constitution of the Privileges Committee and to prescribe the procedure the Privileges Committee has got to adopt. Here is a copy of the bill which has been published and which has not yet come up in parliament.

The Hon'ble Sri K. T. BHASHYAM.—It is a private Member's Bill, is it not?

Sri L. SIDDAPPA.—Yes. It is tabled by Sri R. K. Sidwa. I find that it is better to make similar provisions in this Assembly also. Otherwise, it is not possible to work out these privileges in a satisfactory way.

The Hon'ble Sri K. T. BHASHYAM.—Article 194 of the Constitution enunciates the powers and privileges of the House and its members. If all these privileges and powers have got to be

safeguarded and protected and worked out, they have got to be put down in the rules of procedure. That is why we have made provision in the rules of procedure. Rules 171, 172, 173 and 174 deal with this and the procedure to be adopted in safeguarding the rights and privileges of this House. One is quite different from the other. This is adjectival and that is substantial. In order to protect the privileges and rights given under article 194 it is unnecessary to introduce these rules in the Rules of Procedure.

And then about the Bill in Parliament, it is a private Bill and we do not know when it will come up for discussion, when it is going to be passed and when it will come into force. Article 194 says that every Legislature shall work out the procedure in respect of this. Therefore these rules are in order.

Mr. SPEAKER.—The question is :

"That Rule 171 stand part of the Rules of Procedure."

The motion was adopted.

Rule 171 was added to the Rules of Procedure.

Mr. SPEAKER.—Rule 172.

The Hon'ble Sri K. T. BHASHYAM.—Sir, I beg to move ;

"That sub-rules (2), (3), (4), (5), (6), (7), (8) and (9) shall be re-numbered as sub-rules (3), (4), (5), (6), (7), (8), (9) and (10), respectively and before sub-rule (3) as so renumbered the following new sub-rule shall be inserted as sub-rule (2) :—

"(2) The Committee shall have power to require the attendance of persons or the production of papers or records, if such a course is considered necessary for the discharge of its duties :

Provided that if any question arises whether the evidence of a person or the production of a document is Relevant for the purposes of the Committee the question shall be referred to the Speaker whose decision shall be final :

Provided further that Government may decline to produce a document on the ground that its disclosure would be prejudicial to the safety or interest of the State."

In respect of the Committee of Privileges, if they want any person to be examined, it must have power to require the attendance and take his

(THE HON'BLE SRI K. T. BHASHYAM.) statement, or if any document is necessary, the Committee must have power to summon the document. But we are providing safeguards also. Government if it considers that the production of any paper or document is not necessary as being irrelevant, may refuse to give such paper or document as evidence, and then we can make reference to the Hon'ble Speaker and his decision shall be final. So, while on the one hand we enlarge the rights of the Privileges Committee so that it may give a finding on all matters referred to it, we also protect the rights of individuals. I submit that these amendments are desirable and useful and I commend them for the acceptance of the House.

Mr. SPEAKER.—The question is:

"That sub-rules (2), (3), (4), (5), (6) (7), (8) and (9) shall be renumbered as sub-rules (3), (4), (5), (6), (7), (8), (9) and (10) respectively, and before sub-rule (3) as so re-numbered the following new sub-rule shall be inserted as sub-rule (2):

"(2) The Committee shall have power to require the attendance of persons or the production of papers or records if such a course is considered necessary for the discharge of its duties:

Provided that if any question arises whether the evidence of a person or the production of a document is relevant for the purposes of the Committee the question shall be referred to the Speaker whose decision shall be final:

Provided further that Government may decline to produce a document on the ground that its disclosure would be prejudicial to the safety or interest of the State."

The motion was adopted.

Mr. SPEAKER.—The question is:

"That Rule 172, as amended stand part of the Rules of Procedure."

The motion was adopted.

Rule 172, as amended, was added to the Rules of Procedure.

Mr., SPEAKER.—Rules 173 to 182, both inclusive. The question is:

"That Rules 173, to 182, both inclusive, stand part of the Rules of Procedure."

The motion was adopted.

Rules 173 to 182, both inclusive, were added to the Rules of Procedure.

Mr. SPEAKER.—Rule 183. Sri L. Siddappa has an amendment.

Sri L. SIDDAPPA.—Sir, I beg to move:

"That the word 'ten' shall be substituted for the word 'twenty'."

The Rule as it is reads as follows:

"183. When the motion is reached, the Speaker shall read the draft amendments and ask whether the member has the leave of the Assembly. If objection is taken, the Speaker shall request those members who are in favour of leave being granted to rise in their places, and if not less than twenty members rise accordingly."

Even in the case of an adjournment motion we have reduced the number. It was formerly 40 and we have reduced it to twenty. Similarly I think 20 would be too much in this rule and I suggest that it may be reduced to ten.

Mr. SPEAKER.—Amendment moved:

"That the word 'ten' shall be substituted for the word 'twenty'."

The Hon'ble Sri K. T. BHASHYAM.—

Sir, I am sorry, I cannot accept this amendment. We have framed these rules after so much deliberation spending so much time and effort on it, and if any rule is to be amended, it must be amended with the full concurrence of the House as far as possible. I would say at least 20 members should agree—that will be in a House of 99. It must be remembered that this House will have 99 members.

Sri L. SIDDAPPA.—But many a time hardly 20 members would be present.

The Hon'ble Sri K. T. BHASHYAM.—But when a rule is sought to be amended, there must be some seriousness about it, some sacredness and some finality about these Rules and they ought not to be lightly interfered with. I suggest that at least twenty members should agree that the amendment is worthy of discussion.

Sri L. SIDDAPPA.—For the purpose of adopting Rules.

The Hon'ble Sri K. T. BHASHYAM.—Yes. For initiating discussion on the amendment.

Then, the Hon'ble Member himself said that for an adjournment motion

we say that there must be at least 20 members to give permission. Does he think that a rule which we framed after so much deliberation is any less important than an adjournment motion? Rules have been framed after a great deal of deliberation, after a great deal of discussion and they should not be discussed at all by way of amendment unless at least 20 members rise to give permission.

Sri L. SIDDAPPA.—Even for an adjournment motion there is provision only for ten members. *Vide* Rule 43.

The Hon'ble Sri K. T. BHASHYAM.—But in this matter, so far as the amendment of the Rules is concerned, we are very strongly of opinion that unless 20 members at least rise to give permission, permission ought not to be granted to discuss any amendment.

Sri L. SIDDAPPA.—Then I seek the permission of the House to withdraw my amendment.

The amendment was, by leave of the House, withdrawn.

Mr. SPEAKER.—Rules 183 to 185, both inclusive. The question is:

"That Rules 183 to 185, both inclusive, stand part of the Rules of Procedure."

The motion was adopted.

Rules 183 to 185, both inclusive, were added to the Rules of Procedure.

Mr. SPEAKER.—Schedules I and II. The question is:

"That Schedules I and II stand part of the Rules of Procedure."

The motion was adopted.

Schedules I and II were added to the Rules of Procedure.

Mr. SPEAKER.—Rule 1.

Sri T. MADIHA GOWDA (Bangalore District—General).—Regarding Rule I, I am afraid one other clause is omitted to be put in, that is, as to when these Rules will come into force.

The Hon'ble Sri K. T. BHASHYAM.—I will make a motion about it later when moving for the adoption of the Rules.

Mr. SPEAKER.—The question is:

"That Rule 1 stand part of the Rules of Procedure."

The motion was adopted.

Rule 1 was added to the Rules of Procedure.

The Hon'ble Sri K. T. BHASHYAM.—Sir, I beg to move:

"That the Draft Rules of Procedure, as amended, be adopted and shall come into force from the date of their publication in the *Mysore Gazette*."

In making this motion, I beg to thank you, particularly the Hon'ble Speaker, for the great interest you took and the advice and guidance you gave to the Committee during all its stages, and the Members of the Committee for their co-operation. We have done, I consider, a good bit of business. I was indeed delighted when the Hon'ble Member Sri Siddappa complimented us on our efforts and much of the credit is due to you Sir, and I convey the thanks of the House to you. I move that the Rules of Procedure as amended may be adopted and that they may come into force from the date of their publication in the *Mysore Gazette*.

Mr. SPEAKER.—The question is:

"That the Draft Rules of Procedure, as amended, be adopted and shall come into force from the date of their publication in the *Mysore Gazette*."

The motion was adopted.

Mr. SPEAKER.—The House will now adjourn for Lunch for half an hour.

The Assembly adjourned for Lunch a Forty-Five Minutes past Three of the Clock and re-assembled at Eighteen Minutes past Four of the Clock, Mr. Speaker (The Hon'ble Sri V. Venkatappa) in the Chair.

The Mysore Legislative Assembly (Prevention of Disqualification) Bill, 1951.

Mr. SPEAKER (The Hon'ble Sri V. Venkatappa).—The Hon'ble Law Minister will move for the consideration of the Mysore Legislative Assembly (Prevention of Disqualification) Bill, 1951.